THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.24132 of 2006

Dated:18.01.2007

Between:

Badam Guramma.

…Petitioner

and

The District Collector and others.

…Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.24132 of 2006

ORDER:

The petitioner claims to be a resident of Ramachandrapuram Village of Darsi Mandal in Prakasam District. She alleges that Badam Venkata Reddy has three sons, namely, Nagi Reddy, Venkata Reddy and Gurava Reddy. The petitioner is wife of Venkata Reddy and claims that her husband has joint family properties in Ramachandrapuram. These properties were divided among the brothers and the land in Survey Nos.155/1 (Acs.8.26 cents), 161/1 (Acs.1.33 cents), 231/2 (Ac.0.30 cents), 232/1 (Ac.0.06 cents), 84/2 (Acs.2.52 cents), 162/1 (Acs.2.00), 70/2 (Ac.0.22 cents), 340 and 342 (Acs.3.00) situated at Ramachandrapuram and Venkatapuram Villages were allegedly allotted to the petitioner's husband. He allegedly made several representations to the Mandal Revenue Officer and the Revenue Divisional officer, respondents 3 and 2 respectively, for grant of pattadar pass books (PPBs) and title deeds (TDs), in vain. Venkata Reddy died on 18.03.2005, and thereafter, the petitioner allegedly sent representations for PPB/TD. As there is no response she filed the Writ Petition seeking a direction to the respondents to issue PPBs/TDs.

At the stage of admission itself, the third respondent filed counter affidavit. A reading of the contents thereof reveal the following. The petitioner and her sons are not residing in Ramachandrapuram Village

and they are not in possession of the subject lands admeasuring Acs.10.36 cents amounting to 1/3rd share, which allegedly fell to the late husband of the petitioner. Secondly, late Venkata Reddy sold the property to his brother Badam Gurava Reddy under an unregistered sale deed dated 30.12.1965 who obtained PPBs and TDs in 1995. Badam Gurava Reddy also filed a suit, being O.S.No.68 of 1995, on the file of the Court of the Junior Civil Judge, Darsi, and obtained *ad interim* injunction in I.A.No.276 of 1995. The suit is still pending. It is also stated that no application is pending before the Mandal Revenue Officer as alleged. Further, when the notice was sent to the petitioner through the Panchayat Secretary on 17.07.2006, it was reported that the petitioner is not living in Village and therefore, the Mandal Revenue Officer could not conduct any enquiry into the application dated 14.07.2006.

The counter affidavit is duly served on the learned Counsel for the petitioner on 24.12.2006, but no reply affidavit is filed denying the same. Therefore, this Court cannot express any opinion on the right of the petitioner to claim PPBs. However, insofar as the enquiry into her application is concerned, the petitioner is even now at liberty to approach the Mandal Revenue Officer with a copy of this order, and seek appropriate enquiry into the matter. In this Writ Petition no relief can be granted.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

18.01.2007
vs